

**TOWN OF ACTON**

**Building Department**

***INTERDEPARTMENTAL COMMUNICATION***

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**To:** Board of Selectmen **Date:** November 8, 2006  
**From:** Garry A. Rhodes, Building Commissioner  
**Subject:** 2 School Street, 127-131 Main Street  
Site Plan Special Permit/Special Permit #09/15/06-410 (Ashton)

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The Applicant is proposing to re-develop the property known as Exchange Hall. Exchange Hall will be converted into a 173 seat restaurant with a function hall serving 225 patrons. The existing residential building identified as 127 Main Street will be razed to make way for a nineteen space parking lot.

Staff comments were provided to the Applicant and the plans have been revised to address most of the engineering concerns but not the operational concerns. When this re-development was originally proposed it included a fifty-one space parking lot on this site and an adjoining site. The proposal now includes only a nineteen space parking lot. The traffic study does not reflect what happens when patrons have to leave the parking lot because there are only nineteen parking spaces. Staff anticipates there will be extensive delays on Main Street and possible gridlock on site. Unfortunately, I do not believe the Transportation Advisory Committee had the advantage of seeing the traffic study before they provided their comments. Staff recommends the traffic study be expanded to reflect the real impact of this proposal before the Board reaches its decision. If the Board requires an updated traffic study, I will forward the new traffic study to the Transportation Advisory Committee to review.



Planning Department

**TOWN OF ACTON**  
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**INTERDEPARTMENTAL COMMUNICATION**

**To:** Don Johnson, Town Manager

**Date:** October 19, 2006

**Revised:** November 3, 2006

**From:** Kristin K. Alexander, AICP, Assistant Town Planner *YKA*

**Subject:** 2 School St., 127-131 Main St. Site Plan Special Permit & Special Permit,  
# 09/15/06-410

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*The Planning Department has reviewed the revised plan for 2 School St./127-131 Main St. (dated 10/30/06) and the applicant's response letter to staff comments (also dated 10/30/06). The Planning Department's comments on the revised plan and letter are below in bold italics. Staff wrote "Addressed" when the applicant adequately addressed an initial comment.*

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Staff has reviewed the 2 School St., 127-131 Main St. Site Plan Special Permit and Special Permit application. The applicant is proposing commercial, office, and residential uses for the site. The Acton Master Plan and Zoning Bylaw encourage a mix of uses in the Town's villages. The uses proposed appear to be appropriate for the site, should draw people to South Acton Village, and will hopefully promote further development activity in the area. These are goals of the Acton Master Plan and South Acton Village Plan. The proposal would also restore the focal point of South Acton Village - Exchange Hall. Exchange Hall (2 School Street) is one of the most significant buildings in Acton because of its history and architecture. The Abram Jones house (129-131 Main Street) should also be restored as part of the proposal. The 127 Main Street residential building is proposed to be razed. All three buildings are located in the South Acton Historic District and fall under the jurisdiction of the Acton Historic District Commission. The Town encourages the preservation and restoration of structures deemed historically significant. Changes have been proposed to improve site design as well. These changes are generally positive and compatible with the surrounding area. However, staff has concerns, primarily related to vehicular and pedestrian circulation, and they are listed below.

1. On page 2 of the 8/23/06 letter from the applicant to the Selectmen, it states that the total area of the lots is 39,911 square feet (0.92 acres). Sheets 1 and 5 of the Plan state the total combined area as 30,911 square feet. Staff agrees with the lot area shown on the Plan.

***Addressed***

2. Staff has not seen the architectural drawings or a traffic analysis for the site. They should be submitted for review.

***Architectural drawings –***

- ***Floor plans were not submitted for three out of the four floors of Exchange Hall.***
- ***Architectural drawings/floor plans were not submitted for 129/131 Main Street.***

**Traffic analysis –**

- **The traffic analysis was conducted assuming that the School Street driveway would be full access (two-way traffic) and the Main Street driveway would be a right turn only exit (one-way traffic). This is the opposite of what was proposed by the applicant. A new traffic analysis should be conducted that reflects the 10/30/06 Plan. The new traffic analysis can then also use the correct number of seats proposed for each use in Exchange Hall: 173 restaurant seats and 225 function hall seats.**
  - **The traffic analysis used the Institute of Transportation Engineer's (ITE's) Trip Generation Land Use Code for a "High Turnover (Sit Down) Restaurant" for the proposed restaurant in Exchange Hall. This assumption results in probably a worst case/maximum traffic scenario for the restaurant. Staff would have used the Land Use Code for a "Quality Restaurant" for both the proposed restaurant and function hall.**
3. In the Zoning Summary Table on Plan Sheet 5, change the required side and rear setbacks to 10 feet. **Addressed**
  4. Based on the Acton Zoning Bylaw requirements, 41 spaces minimum are required for the restaurant and 40 spaces minimum are required for the function hall. The Parking Summary Table on Plan Sheet 5 should be changed accordingly. **Addressed**
  5. It is stated in the Parking Summary Table on Plan Sheet 5 that 23 spaces will be provided on-site. This statement is accurate only for traffic arriving before 5:00 PM each weekday. After 5:00 PM on weekdays, four of these spaces cannot be used for parking as they become valet parking pick up and drop off areas. The Parking Summary Table should be changed to reflect the shift in available spaces between daytime and nighttime hours and the total number of spaces should be reduced from 148 spaces to 144 spaces. **Addressed**
  6. At least one parking space, or maybe two, should be reserved on-site for the apartment resident(s). **Addressed**
  7. Staff recommends that the applicant consider reversing the traffic circulation pattern to clockwise in the rear of the site (behind Exchange Hall). Reversing the traffic pattern would provide an exit for all traffic entering the rear parking lot if all spaces were occupied, and provide a shorter route to the site's exit for the valet parking service on the east side of Exchange Hall. **Addressed**  
  
***Is there a north facing "Do Not Enter" sign proposed on the east side of the property where the traffic coming from the rear parking lot (heading south) meets the traffic entering the site from School Street (heading north), so the traffic from the parking lot does not try to exit the site via the School Street access drive? If not, please show one on the Plan.***
  8. Regardless of the off-site parking arrangements, the project would greatly benefit and be more viable if parking on-site was increased. On-site the project doesn't even have half the parking spaces needed for the restaurant, office and residence. People who have limited time to sit down and eat lunch may choose a restaurant with plenty of on-site parking versus a restaurant where they have to park down the street. The applicant should pursue and/or resolve agreements with neighboring properties to allow additional parking to be constructed and used on the easement for the site north of 12 and 20 School Street.  
**Staff has read the applicant's response but is still concerned about the viability of the project due to the minimal amount of parking on-site. Staff strongly recommends that**

***the applicant continue to work to try and resolve this issue with the neighboring property owners.***

9. Signs should be posted in the parking lot stating where additional parking is available off-site for patrons. ***Addressed***
10. Bollards (or similar equipment) should be located where parking spaces or travel lanes abut structures to provide protection to the structures and people inside the structures. ***Addressed***
11. The sidewalks along the buildings are labeled as 5 feet wide. They appear to be less than 5 feet wide when measured with a scale. The sidewalks should be widened to five feet on the Plan. ***Addressed***
12. There should be Americans with Disabilities Act (ADA) compliant access from the pick up and drop off valet parking spaces to the Exchange Hall entrance since people with disabilities will probably also be using this service at night and on the weekends. ***Addressed***
13. A sidewalk should be constructed from the Main Street sidewalk near the crosswalks to Exchange Hall, possibly along the driveway entering the site. ***Addressed***
14. The sidewalk in the rear of the site should extend to the dumpster so people can access it. ***Addressed***

cc: Garry Rhodes, Building Commissioner  
Planning Board

## Memorandum

TO: Garry Rhodes  
Building Commissioner

FROM: Holly Ben-Joseph  
Transportation Advisory Committee

DATE: September 28, 2006

RE: Site Plan Special Permit Application  
Exchange Hall  
2 School Street  
August 23, 2006

CC: Manager  
Board of Selectmen

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At your request the Transportation Advisory Committee has reviewed the above referenced comprehensive Permit Application and offers the following:

TAC is pleased with the overall layout of the site and inclusion of a gathering area with planting and ornamental fencing at the front of the property which will enhance the historical building. Pedestrian movement is facilitated well, with existing sidewalks along School and Main Streets. Within the site, sidewalks lead from the parking and street to the buildings. TAC has a concern about the access from the new parking lot across School Street and question whether people will use the crosswalk or will they simply jaywalk across the street to get to the new facilities.

Regarding the parking layout and drives, TAC questions how the dumpster be emptied; the plan shows 2 parking spaces blocking access. Also, we were also querying the possibility of removing the upper, one-way drive, (east of the upper parking lot), if it is not needed for safety issues this additional land could be used for landscaping or a few additional parking spaces.

TAC has noted that most of the existing mature trees on site are being removed because of new site features. There is one beautiful existing hickory tree that serves as a landmark (at least a 48" caliper) at the corner of the property which is not in the way of any new construction. TAC therefore requests that this tree be saved if possible.

# ACTON MUNICIPAL PROPERTIES DEPARTMENT

## INTERDEPARTMENTAL COMMUNICATION

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**To:** Garry Rhodes, Building Commissioner **Date:** 9/29/06  
**From:** Dean A. Charter, Municipal Properties Director (DRC)  
**Subject:** Site Plan #9/15/06-410, 2 School Street

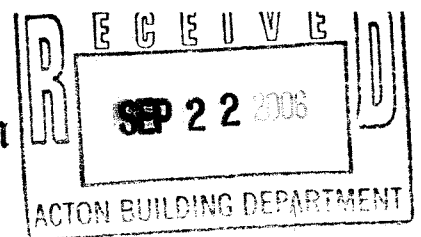
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I have reviewed the plans submitted and visited the above noted site; my comments are as follows:

1. The planting plan shows the use of plants noted as "PM" but this designation does not appear on the planting schedule. This issue should be clarified and the plan or schedule corrected.
2. The plan shows the use of 6 White Spruce and 26 Canadian Hemlock for buffer plantings. Considering the presence of Hemlock Woolly Adelgid (HWA) in the area and its' impact on Hemlock plantings, it would be best to use more Spruce or other evergreens, and fewer Hemlocks.
3. The plan shows the use of 12 ornamental/shade trees on the site, 10 of which are to be the Princeton clone of American Elm. Although "Princeton" is designated as having "moderate to high" resistance to Dutch Elm Disease, the use of so many Elms is a poor choice. To quote from the Manual of Woody Landscape Plants: "The extensive use of one tree such as the American Elm is an example of foolhardy landscaping". The plan should be amended to provide for a greater diversity of plantings.
4. In general the plan is in compliance with the reduced landscape requirements of the South Acton Village Zone.
5. Due to the fact that the inclusion of the Town owned School Street parking lot is required to meet parking calculations, a suitable agreement should be reached governing the maintenance of the landscaping and lighting around the lot, now provided by the Municipal Properties Department, and for snow plowing, to be provided by the Highway Department.

# Water Supply District of Acton

693 MASSACHUSETTS AVENUE  
P.O. BOX 953  
ACTON, MASSACHUSETTS 01720-0953



JAMES L. DEMING  
DISTRICT MANAGER

TELEPHONE (978) 263-9107  
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September 20, 2006

Mr. Gary Rhodes  
Building Commissioner  
Town Hall  
472 Main Street  
Acton, MA 01720

RE: Site Plan Special Permit  
Bluebird Realty Trust  
2 School Street, 127-131 Main Street

Dear Mr. Rhodes:

I have reviewed the site plan proposal for the redevelopment of this property and have the following comments:

1. The applicant has calculated a domestic water demand of 11,210 GPD. The average use of water at the current property is 324 GPD. The applicant will need to file a "Water Impact Report" as per existing AWD Guidelines.
2. The attached plan shows two separate connections for potable water and fire protection, but no sizes are shown.
3. The existing property immediately to the east of the proposed redevelopment is currently serviced by a potable water supply line that extends from that property. Arrangements will need to be made to relocate that line.

Regards,

  
James L. Deming  
District Manager

cc: Jane Ceraso, Environmental Manager  
Engineering Department  
Municipal Properties Department



## INTERDEPARTMENTAL COMMUNICATION

Acton Board of Health - Telephone 978-264-9634 - Fax 978-264-9630

September 26, 2006

TO: Garry Rhodes, Building Commissioner

FROM: Doug Halley, Health Director

SUBJECT: Site Plan Special Permit #09/15/06-410 – Bluebird Realty Trust 2  
School Street, 127-131 Main Street

The Health Department has reviewed the plans and materials submitted for the above mentioned Site Plan Special Permit and have the following comments:

1. These two properties are within the public sewer service area and have been assessed a total betterment of 4.84 units (2 School Street 2.17 units – 127-131 Main Street 2.67 units). 129-131 Main Street is connected to the sewer system but 2 School Street is not. Due to the wastewater requirements of the proposal prior to occupancy both properties must connect to the sewer system.
2. At the 2006 ATM Town Bylaw Chapter D-10.5.b was changed to state that the Sewer Commissioners may establish a reasonable fee for land previously assessed a sewer betterment that is to be developed to a more intensive use than presently allowed by right. It should be noted that the Bylaw previously stated that a privilege fee may be charged to land not previously served by the sewer system and not previously assessed to the owner of such land.

Since the passage of the Bylaw amendment and the approval of the Attorney General this is the first Site Plan Special Permit to be considered for approval which will intensify the existing use.

The proposed Restaurant and Function Hall are uses not allowed by right under the zoning bylaw and therefore will trigger application of this fee. D-10.5.b states that the fee shall be calculated based on the number of Sewer Assessment Units (SAU) attributable to the intensified use of the land minus the number of SAUs originally assessed.



The proposed restaurant has a wastewater flow under Title 5 of 35 gallons per seat per day. Under Chapter D by formula an SAU is equal to 300 gallons per day. Therefore each restaurant seat is equal to .1167 SAU. As presently proposed the restaurant will have 173 seats and would be equal to 20.183 SAUs.

The proposed Function Hall has a wastewater flow under Title 5 of 15 gallons per seat per day. Applying the SAU equivalency of Chapter D each function hall seat is equal to .05 SAU. As presently proposed the Function Hall will have 225 seats and would be equal to 11.25 SAU's.

In making these calculations it should be noted that they are based on average daily wastewater flows. Function Halls and sometimes Restaurants are not open every day. If the applicant legally binds the proposed use to specific days (for instance the Function Hall open Thursday through Sunday, the Restaurant open Tuesday through Sunday) the SAUs would be modified to reflect the average wastewater flow through the course of a week.

Using the above example with the current proposed seating the Function Hall SAUs would be reduced to 6.43 ( $11.25 * 4/7$ ) and the Restaurant SAUs would be reduced to 17.30 ( $20.183 * 6/7$ ).

The value of a betterment unit was established as \$12,311.52 with the issuance of final betterments. If both uses are in place every day of the week the privilege fee would be \$327,400.25 (Restaurant SAUs 20.183 + Function Hall SAUs 11.25 – Existing SAUs 4.84 \* \$12,311.52). Using the example in the previous paragraph the privilege fee would be \$232,564.61 (Restaurant SAUs 17.3 + Function Hall SAUs 6.43 – Existing SAUs 4.84 \* \$12,311.52).

As can be seen the privilege fee can vary widely based on the use of the facility. However, the Health Department would recommend applying a privilege fee based on a consistent use every day unless a legally binding measure can be put in place limiting the facility from operating the Restaurant or Function Hall on specific days.

3. Prior to occupancy of the Restaurant the applicant will have to file an application for a Food Service Permit with the Health Department and provide comprehensive plans detailing all aspects of the kitchen and areas where food is served or prepared.
4. All kitchen wastes will be required to discharge to an appropriately sized grease tank prior to discharge to the sewer system. The grease tank shall be maintained in accordance with the Town's Sewer Regulations.

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**Engineering Department**

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**INTERDEPARTMENTAL COMMUNICATION**

**To:** Don P. Johnson, Town Manager

**Date:** October 18, 2006

**From:** Engineering Department 

**Subject:** Site Plan Special Permit # 09/15/06- 410 Bluebird Realty Trust - 2 School Street and 127,129 & 131 Main Street, Acton MA Exchange Hall

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We reviewed the above-mentioned site plan for 2 School Street and 127,129 & 131 Main Street dated August 24, 2006 and have the following comments.

1. The contractor will be required to apply for a Permit to Construct within a Public Way for any work shown in the right of way for Main Street or School Street such the reconstructed driveway accesses, sidewalk reconstruction, utility service connections, etc...
2. The applicant needs to ensure the Town that they can legally install light poles, trees, etc into the existing 10-foot wide right of way adjacent to 12 School Street.
3. A note should be added to the plans referencing the National Geodetic Vertical Datum that was used for the elevations shown on the plans. The Town requires the elevations referenced to the National Geodetic Vertical Datum of 1929.
4. The engineer needs to submit a hydrologic water balance calculation to demonstrate that recharge to groundwater will not be reduced due to the post-development conditions as required in Section 4.3 of the Zoning Bylaw.
5. This office has not received a copy of the traffic impact study for our review and comment.
6. The engineer should show a lane line to be painted on the Main Street access. We recommend the lane line to start at the stop line and end prior to the first parking space. This lane line will help to delineate the lanes for vehicles entering & exiting the site.
7. After reviewing the proposed traffic patterns on the site, we recommend a condition that the applicant be allowed to modify the interior traffic flow patterns once the site is complete and operational.
8. The engineer should add a note on the plans requiring the traffic arrows shown on the plan to be painted on the pavement.

9. There is an existing traffic signal inductor loop in the existing driveway access on Main Street. Attached is a copy of the plan showing the inductor loops at this intersection. The signal loop needs to be shown on the plan along with some notes relating to the construction sequence for the removal & re-installation of this traffic signal loop. The applicant will need to have qualified personnel (i.e. professional traffic engineer & a traffic signal maintenance crew) to temporarily disable this loop in the traffic signal controller while this area is under construction. If not, the damaged (cut) signal loop will always be requesting a green light for Exchange Hall even if there are no vehicles. This would especially be a problem during peak AM & PM rush hours when there is already a traffic backup. The traffic engineer and signal crew will need to re-install a new loop and certify that is in good condition upon completion of the site work. The applicant will be responsible to repair any damage to the traffic signal and its components caused by the activity on this site. The repair will have to be coordinated, supervised & certified by a qualified professional traffic engineer.
10. The access to Main Street is controlled by the existing traffic signal at this intersection. The engineer should remove the stop sign (R1-1) and the word stop labeled along the stop line. I suggest that the stop line remain so that vehicles do not obstruct the existing sidewalk.
11. We recommend that the engineer add a catch basin in the parking area next to Exchange Hall by infiltration system #103 prior to the concrete-paver spillway. This would allow an inlet in the pavement to collect runoff before it discharges onto Main Street. Our concern is that snow plows will push snow along the edge of the pavement blocking the spillway. As a result, the pavement runoff will be diverted onto Main Street causing a potential icing problem at the intersection.
12. The engineer needs to label the elevation of groundwater relative to the bottom of the proposed underground infiltration/detention systems on the plans and details. We want to be sure that the storage capacity is not diminished due to the groundwater table being higher than the infiltration systems.
13. We suggest that the engineer include some notes on the plans to state the inspection and maintenance schedule for the on-site drainage system. The engineer should add a description, in layman's terms, how to inspect the underground infiltration/detention systems and determine when these systems are clogged or in need of routine maintenance or repairs. I want to ensure that the owner of the property clearly understands how to upkeep their drainage system to minimized the risk of clogging and runoff overflowing onto Main and School Street.
14. The engineer should add a note to the plans to clean and repair the existing drainage system, as necessary, in order to facilitate the proposed drainage system (i.e. the 10" clay drain pipe between the CB-6E & CB-3E).
15. The engineer should show clearly state in the Grading and Drainage Plan that the subdrain(s) will connect directly to the proposed/existing drainage system. We want to ensure that the subdrain does not discharge overland across the pavement or any sidewalks that could cause a potential icing problem for pedestrian or vehicles.

16. We recommend that the engineer remove the filter fabric from the bottom of the underground infiltration systems in order to maximize the infiltration capacity of the trench and to minimize the risk of clogging due to the fine particles being trapped by the filter fabric. Our recommendation is based upon a conference on Stormwater Improvements for Low Impact Developments. There was a speaker from the University of New Hampshire that discussed their results showing an infiltration system that failed within 10 months of the installation due to the premature clogging of the filter fabric.
17. The table of proposed elevations and the dimensions on the cross section for the underground detention system should be revised to be consistent. Based on the 24-inch pipe invert (elev=221.4) and the elevation for the top of system (elev=223.7), there will only be 0.3 feet (approx. 3.5-inches) of stone above the drain pipe. The cross-section dimensions the stone over the pipes to be 12-inches thick. Depending on the top of system elevation, the engineer should ensure that the depth to the detention system will still provide the minimum 15-inch separation to allow the full depth of gravel and paving over the stone.
18. We recommend that the invert of the lower 4-inch diameter orifice in the detention outlet manhole baffle be changed from elevation 220.4 to 220.2. This would match the inlet invert so that the outlet pipe from the detention system could completely dewater after a storm event.
19. There is no pedestrian connection along the Main Street access to the interior walkways. There is a proposed walkway shown along the entrance on School Street.
20. The engineer needs to remove the label for the curb at the driveway aprons on School Street to allow for an AAB compliance sidewalk ramps.
21. The engineer should label the maximum allowable cross-slope for the proposed sidewalks & walkways in accordance with the Architectural Access Board.
22. We recommend that the engineer show the curb and sidewalk to continue behind the existing catch basin on School Street (CB 1-E). The sidewalk should then continue toward the School Street access with a grass strip so that it meets the sideline of the driveway directly opposite the existing sidewalk in front of 12 School Street.
23. There should be a note on the plans requiring the existing survey monuments such as the stone bounds and drill holes to be marked in the field prior to construction. There should also be a note on the plans stating that if these property markers are damaged or destroyed during construction that the applicant will hire a registered land surveyor to reset the monuments and certify the new locations.
24. The applicant should label the street addresses for the building on the plans. We want to minimize the potential risk of confusion, especially during a 911 emergency. The applicant will need to submit for approval a schematic of the intended street addresses for the two (2) remaining building along with the numbering scheme for the interior units to the Engineering, Police and Fire Departments.
25. If the applicant intends to have a sign identifying the complex, the engineer should show the location of this sign on the plans to ensure that it does not obstruct the driver's sight

distance exiting the property.

26. There should be an erosion & sedimentation control note that states the contractor is responsible to clean-up any sand, dirt or debris which erodes from the site onto any Town road or private property, and to remove silt or debris that enters any existing drainage system immediately upon discovery.
27. There should be a note on the plans to prohibit vehicles from blocking the emergency access to Nylander Way. There should also be a note stating that snow, construction materials & debris, etc cannot be stockpiled in a manner to obstruct the emergency access.
28. We recommend that an as-built plan showing the buildings, pavement, drainage, walking path and the utilities be required at the conclusion of construction along with a letter from a professional engineer certifying that the project was constructed according to the approved plans.

Cc: Garry Rhodes, Building Commissioner